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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Charlotte HAUSER-RUNKE
SERIAL NO. : 09/913,631
FILED : August 16, 2002
FOR : HORMONE -HORMONE RECEPTOR COMPLEXES AND
NUCLEIC ACID CONSTRUCTS AND THEIR USE IN GENE
THERAPY
ART UNIT : To Be Assigned
EXAMINER : To Be Assigned

January 16, 2003

Hon. Commissioner of Patents
Washington, D.C. 20231

**PETITION UNDER 37 CFR § 1.181(a)
TO WITHDRAW HOLDING OF ABANDONMENT**

RECEIVED
29 MAY 2003
Legal Staff
International Division

SIR:

The above-identified application is apparently held abandoned for failure to respond to the Notification of Missing Requirements mailed October 16, 2001. Applicants filed a response to the Notification of Missing Requirements on December 14, 2002. Accordingly, the holding of abandonment is in error. Consequently, Applicants respectfully request that the holding of abandonment be withdrawn, and that this application be returned to pending status.

In support of this petition there are submitted copies of:

- 1) the Transmittal Form
- 2) the Communication Re: Filing of Declaration;
- 3) Response to Communication Regarding the Sequence Listing;

- 4) Copy of the Combination Declaration and Power of Attorney;
- 5) Copy of the Notification of Missing Requirements; and
- 6) Return Receipt Postcard acknowledging receipt.

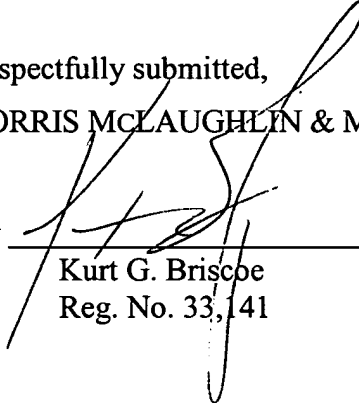
Applicants point out that the acknowledged postcard is *prima facie* evidence that the response to the Office Action was timely filed and received in the Patent Office on January 8, 2002. *See, Manual of Patent Examining Procedure* § 502.01.

No fee is believed to be due in connection with the consideration of this petition. However, should the Commissioner determine that any fee is, in fact, due, he is hereby authorized to charge such fee to Deposit Account No. 14-1263.

In view of the foregoing, Applicants respectfully request that the holding of abandonment be rescinded, that this application be returned to pending status.

Early and favorable action is earnestly solicited.

Respectfully submitted,
NORRIS McLAUGHLIN & MARCUS

By 
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EXPRESS MAIL CERTIFICATE

I hereby certify that the foregoing petition and the indicated exhibits are being deposited with Express Mail, Next Day Service, in a postage prepaid envelope addressed to: Commissioner of Patents, Washington, D.C. 20231, on the date indicated below:

Signature of Depositor:  Date of Deposit: January 16, 2003
Jennifer Archer